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09/982,538	10/19/2001	Jean-Paul Faure	103120-00026	7761	
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ARENT FOX KINTNER PLOTKIN & KAHN 1050 CONNECTICUT AVENUE, N.W. SUITE 400			EXAMI	EXAMINER	
			VERBITSKY, GAIL KAPLAN		
WASHINGTON, DC 20036			ART UNIT	PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Giffice Action Summary Sail Vertitaty Sail Vertitat	<u> </u>		Application No.	(Appliance)			
Examiner Gail Verbitlaty			Application No.	Applicant(s)			
Calif Verbitsky 2559			09/982,538	FAURE ET AL.			
The MALING DATE of this communication appears on the cover sheet with the c_rrespondence address ¬ Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Electricates of size many big evaluation and the provisions of 3 CER 1.136(a). In no worst, however, may a reply be limitly filed Lith pased for early specified above its less time in hirty (Sto) abys, a reply within the statutory minimum of thinly (30) days, will be considered timely. If the period for reply is specified above, the nearours activity period vall graph and vall early is SEV, (MONTHS from the malining date of this communication, or the communication of the provision o			Examiner	Art Unit			
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Art Unit: 2859

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119 (a)-(d).

Claim Objections

2. Claims 1-5 are finally objected to because of the following informalities:

Claim 4: "the contact zone" in line 3 lacks antecedent basis.

Claims 1-3, 5: "the flatness measuring roll" in line 3 of claim 3 lacks antecedent basis. Perhaps applicant should insert "flatness measuring" before --roll-- in line 1 of claim 1, for a proper antecedent basis and in order to clearly describe the invention. Also, perhaps applicant should insert "flatness" before --measuring roll-- in line 3 of claim 5 in order to clearly describe the invention.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are finally rejected under 35 U.S.C. 112, second paragraph, as being 4. indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In this case,

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Claims 1-4: the claim language is confusing because, the preamble of claim 1 is directed to a

method of detecting the flatness of a band, while no actual steps of detecting/determining of the

flatness of a band has been described in the body of the claim.

Claims 5-15: the claim language is confusing because, the preamble of claim 5 is directed to a

device for detecting the flatness, while it appears, that the body of the claims is directed to

detecting of a load applied in each detection zone. Thus, it not clear from the claim language if

and how the flatness is determined.

Claim 8: the claim language is confusing because it is not clear how "a cooling caisson" further

limits claim 7 which claim 8 is dependent on.

Claim 9: the claim language is confusing because it is not clear how "a means for fast retraction"

further limits claims 5 to 8 which claim 9 is dependent on.

Claim 15: the claim language is confusing because it is not clear if "a plurality of the detection

zones" in claim 15 is the same as "several detection zones" in claim 5 which claim 15 is

dependent on. Perhaps applicant should replaced "the measuring roll includes a plurality of the

detection zones retracted in the direction transversal to the band and distributed over the whole

length of the roll" with --said several detection zones distributed over the whole length of the

measuring roll are retracted in the direction transversal to the band--. Is this a proper

interpretation of the invention? Clarification is required.

Claims 2-4 and 6-15 are rejected by virtue of their dependency on claims 1 and 5 respectively.

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Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

- 7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art cited in the PTO-892 and not mentioned above disclose related device s and methods.
- 8. It is not possible to apply the prior art of record to claims 1-15 due to confusing claim language as stated above in paragraph 4.

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Any inquiry concerning this communication should be directed to Examiner Verbitsky who can be reached at (703) 306-5473 Monday through Friday 7:30 to 4;00 ET.

Any inquiry of general nature should be directed to the Group receptionist who can be reached at (703) 308-0956.

GKV

July 02, 2003

Gail Verbitsky

Patent Examiner, TC 2800

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